

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN**

MARILYN SEABECK,
Plaintiff,

v.

Case No. 08-MISC-061

**DOUGLAS J. BARTH and MARY B.
GROSSMAN, Chapter 13 Trustee,**
Defendants.

**ORDER ADOPTING BANKRUPTCY COURT'S PROPOSED FINDINGS OF FACT,
CONCLUSIONS OF LAW, AND RECOMMENDATION OF NOVEMBER 7, 2008**

On March 7, 2008, plaintiff Marilyn Sebeck filed an adversary complaint against defendants Douglas J. Barth (the debtor in bankruptcy case number 07-27953) and Mary B. Grossman (the standing Chapter 13 trustee in the same case). (Adversary case no. 08-2062.) Defendant Grossman filed a motion for summary judgment on August 8, 2008. Following briefing by the parties, the bankruptcy court held a hearing on the motion on September 22, 2008. On November 7, 2008, the bankruptcy court issued proposed findings of fact and conclusions of law, and recommended that this Court grant defendant Grossman's motion for summary judgment.

Pursuant to Fed. R. Bankr. P. 9033(b), any party wishing to object to the bankruptcy court's proposed findings of fact and conclusions of law was required to do so within ten days of being served with a copy of such proposed findings and conclusions. No party filed an objection.

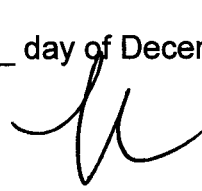
Because no party has filed an objection, the Court hereby **ADOPTS** the findings of

fact and conclusions of law filed by the bankruptcy court on November 7, 2008, and **ADOPTS** the bankruptcy court's recommendation.

Pursuant to such recommendation, **IT IS ORDERED** that Defendant Grossman's motion for summary judgment is **GRANTED**.

IT IS FURTHER ORDERED that adversary case number 08-2062 is **DISMISSED WITH PREJUDICE**. The Clerk of Court shall enter final judgment.

Dated at Milwaukee, Wisconsin, this 9 day of December, 2008.



LYNN ADELMAN
District Court Judge